

PATENT  
Attorney Docket No.: 47279-5003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                                   |   |                            |
|-----------------------------------|---|----------------------------|
| In re Application of: Peter FRANK | ) | Confirmation No.: 6468     |
|                                   | ) |                            |
| U.S. Application No.: 10/551,996  | ) | Group Art Unit: Unassigned |
|                                   | ) |                            |
| Filed: October 4, 2005            | ) | Examiner: Unassigned       |
|                                   | ) |                            |
| For: DRILLING TOOL                | ) |                            |

Commissioner of Patents  
**MAIL STOP PCT**

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. § 371 IN THE U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. This replies to the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed August 11, 2006.

A copy of the Notification of Missing Requirements (Form PTC/DO/EO/905) is enclosed.

2. Declaration Or Oath

- No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.
- The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.
- The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

- Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.
- Also enclosed is the Verification of Translation Document

4. Small Entity Statement(s)

- Applicant(s) hereby assert small entity status.

5. Fee Calculation

| Basic National Stage Fee:<br>\$300.00   |              |              |                  | Previously Paid |
|---|--------------|--------------|------------------|-----------------|
|   | Number Filed | Number Extra | at a Rate of     |                 |
| Total Claims  | 24 -20 =     | 0            | \$50.00 each=    | Previously Paid |
| Independent Claims  | 1 - 3 =      | 0            | \$200.00 each=   | Previously Paid |
| Multiple dependent claim(s), if any   |              |              | \$360.00         | \$0.00          |
| Missing Requirements Surcharge Fee  |              |              | \$130.00         | \$130.00        |
| Application Size Fee<br>\$250.00 for each additional 50 sheets that exceeds 100                   |              |              |                  | \$0.00          |
| Application Search Fee  |              |              | \$400.00         | Previously Paid |
| Examination Fee   |              |              | \$200.00         | Previously Paid |
|   |              |              | SUB-TOTAL        | = \$130.00      |
| Fee For Application Filed With A Non-English Specification<br>(37 C.F.R. § 1.17(k) and § 1.52(d)) |              |              | \$130.00         | \$0.00          |
| Fee For Processing and retention of application (37 C.F.R.<br>§ 1.21(l) and § 1.53(d))            |              |              | \$130.00         | \$0.00          |
|   |              |              | TOTAL FILING FEE | = \$130.00      |

6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. §§ 1.17(a)-(d), for the total number of months checked below:

| <u>Total Months Requested</u>         | <u>Extension Fee</u> | <u>Extension Fee [Small Entity]</u> |
|---------------------------------------|----------------------|-------------------------------------|
| <input type="checkbox"/> One month    | \$120.00             | \$60.00                             |
| <input type="checkbox"/> Two months   | \$450.00             | \$225.00                            |
| <input type="checkbox"/> Three months | \$1,020.00           | \$510.00                            |
| <input type="checkbox"/> Four months  | \$1,590.00           | \$795.00                            |
| <input type="checkbox"/> Five months  | \$2,160.00           | \$1,080.00                          |

Extension of time fee due with this request: \$0.00

If an additional extension of time is required, please consider this a Petition therefor.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

7. Fee Payment

The total fee due is:      Completion Fees      \$130.00  
                                Assignment Fees      \$40.00  
                                Total Fee Due      \$170.00

- A check in the amount of \$170.00 to cover the above fees is enclosed
- The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0573.
- Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0573.

8. Additional papers enclosed.

- Form PCT/IPEA/409 (English Translation)
- Preliminary Amendment
- PCT/IB/338 English translation of the International Preliminary Examination Report
- PCT/ISA/210 (International Search Report dated )
- Information Disclosure Statement
- Form PTO-1449, non-US patent documents as listed
- Assignment Recordation Cover Sheet (PTO Form-1595)
- Assignment of the invention to SANDVIK INTELLECTUAL PROPERTY AB

Respectfully submitted,

**DRINKER BIDDLE & REATH LLP**

  
Ronald L. Grudziecki, Reg. No. 24,970

Date: October 11, 2006  
**Customer No. 055694**  
DRINKER BIDDLE & REATH LLP  
1500 K. Street, N.W., Suite 1100  
Washington, DC 20005-1209  
Tel: (202) 842-8800  
Fax: (202) 204-0289

10/16/2006 LLANDGRA 00000072 10551996

01 FC:1617

130.00 OP



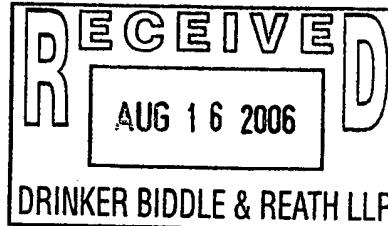
## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

Faiza  
 216445

|  |                       |                  |                  |               |            |            |
|--|-----------------------|------------------|------------------|---------------|------------|------------|
| U.S. APPLICATION NUMBER NO.  | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |                  |               |            |            |
| 10/551,996   | Peter Frank           | 47279-5003       |                  |               |            |            |
| INTERNATIONAL APPLICATION NO.  |                       |                  |                  |               |            |            |
| PCT/EP04/02256   |                       |                  |                  |               |            |            |
| <table border="1"> <tr> <td>I.A. FILING DATE</td> <td>PRIORITY DATE</td> </tr> <tr> <td>03/05/2004</td> <td>04/04/2003</td> </tr> </table> |                       |                  | I.A. FILING DATE | PRIORITY DATE | 03/05/2004 | 04/04/2003 |
| I.A. FILING DATE   | PRIORITY DATE         |                  |                  |               |            |            |
| 03/05/2004   | 04/04/2003            |                  |                  |               |            |            |
| <b>CONFIRMATION NO. 6468</b><br><b>371 FORMALITIES LETTER</b><br>  |                       |                  |                  |               |            |            |
| *OC00000019989283*   |                       |                  |                  |               |            |            |

Date Mailed: 08/11/2006



### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/04/2005
- English Translation of the IA filed on 10/04/2005
- Copy of the International Search Report filed on 10/04/2005
- Preliminary Amendments filed on 10/04/2005
- U.S. Basic National Fees filed on 10/04/2005
- Priority Documents filed on 10/04/2005
- Specification filed on 10/04/2005
- Claims filed on 10/04/2005
- Abstracts filed on 10/04/2005
- Drawings filed on 10/04/2005

Docketed 816d do RLG  
 Case 47279-5003  
 Due Date 10-11-06  
 Action MISS. REQUIREMENTS  
 By KJ Chk \_\_\_\_\_  
KJ

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or déclaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

---

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/551,996                  | PCT/EP04/02256                | 47279-5003       |

FORM PCT/DO/EO/905 (371 Formalities Notice)